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**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

04 JUL 03 PM 3:40
DEPT OF TRANSPORTATION

**DEPARTMENT ACTION ON AMENDMENT APPLICATION IN DOCKET
OST 2000-7771- //**

Approved under assigned authority (14 CFR §385.13).

Date of Action: July 2, 2002

Date Filed: June 20, 2002

Allen F. Brown

for Director, Office of International Aviation

This action is subject to the conditions attached. Persons entitled to petition the Department for review of this action under the Department's regulations, 14 CFR §385.30, should file their petitions within ten days of the date of this action. This action is effective immediately, and the filing of a petition for review will not alter its effectiveness.

ATTACHMENT

The codeshare operations are subject to the following conditions:

- a) The statement of authorization will remain in effect only as long as (i) Air Georgian and Air Canada continue to hold the necessary underlying authority to operate the code-share services at issue, and (ii) the code-share agreement providing for the code-share operations remains in effect.
- b) The subject foreign air carriers must promptly notify the Department (Office of International Aviation) if the code-share agreement under which these code-share services are operated is no longer in effect, or if the carriers decide to cease operating all or any portion of the approved code-share services. (We expect this notification to be received within ten days of such non-effectiveness or of such decision. The notice should be filed in Docket OST 2000-7771.)
- c) The code-sharing operations conducted under this authority must comply with 14 CFR Part 257 and with any amendments to the Department's regulations concerning code-share arrangements that may be adopted. Notwithstanding any provisions in the contract between the subject foreign air carriers, our approval here is expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out the service in computer reservation systems and elsewhere; that the carrier selling such transportation (that is, the carrier shown on the ticket) accept responsibility for the entirety of the code-share journey for all obligations established in its contract of carriage with the passenger; and that the passenger liability of the operating carrier be unaffected.
- d) The authority granted here is specifically conditioned so that the subject foreign air carriers shall not give any force or effect to any contractual provisions between themselves that are contrary to these conditions.
- e) We may amend, modify, or revoke the authority granted here at any time without hearing at our discretion.

177167

BEFORE THE UNITED STATES
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION
DOCKETS

02 JUN 20 AM 11:25

Application of

Air Georgian Ltd.

For Code Share Authority
under 14 CFR, Part 212

Docket No. OST-00-7771-9

APPLICATION OF AIR GEORGIAN LTD.
FOR AN
AMENDMENT OF ITS CODE SHARE AUTHORITY UNDER 14 CFR, PART 212

Communications with respect
to this document should be
Addressed to:

L. Harvey Poe, Jr.
2600 Virginia Avenue, NW
Suite 514
Washington, D.C. 20037
Tel: 202-337-3080
Fax: 202-337-1185

Counsel for
Air Georgian Ltd.

June 20, 2002

NOTICE: Any person that wants to file an answer to this application must do so by July 5, 2002. Anyone desiring a copy of this Application should contact L. Harvey Poe, Jr., at the above address.

BEFORE THE UNITED STATES
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of

Air Georgian Ltd.

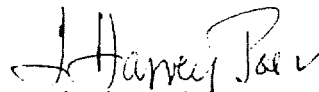
For Code Share Authority
under 14 CFR, Part 212

Docket No. OST-00-7771

APPLICATION OF AIR GEORGIAN LTD.
FOR AN
AMENDMENT OF ITS CODE SHARE AUTHORITY UNDER 14 CFR, PART 212

Air Georgian, a Canadian carrier, hereby requests authorization to code share with Air Canada (AC) on scheduled flights between Toronto, Canada and the U.S. Coterminal point of Providence, Rhode Island.

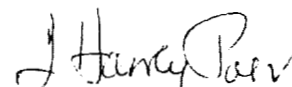
Air Georgian proposes to add service to this market to the other U.S. markets it services under its code share arrangement, and continues to be qualified to conduct code sharing operations to and from the United States.



Submitted by
L. Harvey Poe, Jr.
Counsel for Air Georgian Ltd.

June 20, 2002

NOTICE: I certify that today I have served notice of this Application by first class mail or fax on the 16 U.S. Carrier representatives listed on the service list attached hereto.

A handwritten signature in dark ink, appearing to read "L. Harvey Poe, Jr.", written in a cursive style.

L. Harvey Poe, Jr.
Counsel for Air Georgian Ltd.

5/8/02

canada

HARVEY POE, Esq. (update)

*Robert Silverberg, ph 202-944-3304, Klein & Bagileo, 1101 30th Street, NW, Suite 300, Wash, DC 20005 (for Airborne Express and Atlantic Coast Airlines) fax 202-944-3306

*Aaron Goerlich, ph 202-822-9070 (for Sunworld International)

*Roy Nerenberg, ph 202-965-7152, Sims, Walker & Steinfeld, 1275 K St. NW, #775, Wash, DC 20005 (Mid Pacific Air) fax 202-659-2986

*Carl Nelson, ph 202-496-5647, American Airlines, 1101 17th St. NW, Suite 600, Wash DC 20036

*William Doherty, ph 317-243-4150, American Trans Air, PO Box 51609, Indianapolis, Indiana 46251-06090, fax 317-243-4164

*R. Bruce Keiner, Jr., ph 202-624-2615, Crowell & Moring, 1001 Pennsylvania Ave, NW, Wash, DC 20004 (for Continental Airlines, Emery Worldwide Airlines, and Britt Airways) fax 202-628-5116

*Robert Cohn, ph 202-663-8060, fax 202-663-8007 (for Delta)

~~*R. Tenney-Johnson, telephone number 202-261-3510 and fax 202-261-3511 (for DHL).~~

*Nathaniel Breed, ph 202-663-8078; fx 663-8007; Shaw, Pittman, Potts & Trowbridge, 2300 N St, NW, Wash DC 20037 (Federal Express)

*Josh Romanow ph 202-775-9864; fx 883-8491 (Planet & Southeast)

*Steven Alterman, ph 202-466-8270, Meyers & Alterman, 1710 Rhode Island Ave, NW, Wash DC 20036 (for Horizon Air) fax 202-293-4377

*James Tello, ph 202-399-1918/fax 202-478-0244 (for Miami Air)

*Cecilia Bethke, ph 202-842-3193, Northwest Airlines, 901 15th St. NW, Suite 500, Wash, DC 20005 fax 202-289-6834

*Jeffrey Manley, ph 202-663-6670 and Fax 202-663-6363 (for United Air Lines)

*David Vaughn, 202-955-9600, Kelley, Drye & Warren, 2300 M St., NW, #400, Wash, DC 20036 (United Parcel Service) fax 202-955-9792

*Donald Bliss, ph 202-383-5300, fax 202-383-5414 (USAir)

*R. Bruce Keiner, ph 202-624-2615/fx 202-628-5116 (Continental Airlines); Crowell & Moring, 1001 Pennsylvania Ave, NW, Washington, DC 20004-2595

*Stephen Lachter, ph 202-835-3206/fax 202-835-3219 (for Reno Air); Law Offices 2300 N Street, NW, #725, Washington, DC 20036, also for DHL
*NACA - Fax 202-659-9479; ph 202-833-8200

*Michael Hart, Pres, Lynden Air Cargo, ph 907-249-0231